

the restriction to be placed on the renewed document and of the requirements for rescinding the continuity endorsement.

[CGD 91-211, 59 FR 49301, Sept. 27, 1994, as amended by CGD 91-223, 60 FR 4525, Jan. 23, 1995; USCG-1997-2799, 64 FR 42816, Aug. 5, 1999; USCG-2003-14500, 69 FR 532, Jan. 6, 2004]

§ 12.02-29 [Reserved]

Subpart 12.03—Approved and Accepted Training

§ 12.03-1 Coast Guard-accepted training other than approved courses.

(a) When the training and assessment of competence required by part 10 of this chapter or by this part 12 are not subject to approval under § 10.302 of this chapter, but are used to qualify to hold an STCW certificate or endorsement for service on or after February 1, 2002, the training and assessment must meet the following requirements:

(1) The training and assessment must have written, clearly defined objectives that emphasize specific knowledge, skills, and abilities, and that include criteria to be used in establishing a student's successful achievement of the training objectives.

(2) The training must be set out in a written syllabus that conforms to a Coast Guard-accepted outline for such training and includes—

(i) The sequence of subjects to be covered;

(ii) The number of hours to be devoted to instruction in relevant areas of knowledge;

(iii) The identity and professional qualifications of the instructor(s) to be conducting the training or providing instruction;

(iv) The identity of other media or facilities to be used in conducting the training; and

(v) Measurements at appropriate intervals of each candidate's progress toward acquisition of the specific knowledge, skills, and abilities stated in the training objectives.

(3) Except as provided in paragraph (a)(4) of this section, documentary evidence must be readily available to establish that all instructors—

(i) Have experience, training, or instruction in effective instructional techniques;

(ii) Are qualified in the task for which the training is being conducted; and

(iii) Hold the level of license, endorsement, or other professional credential required of those who would apply, on board a vessel, the relevant level of knowledge, skills, and abilities described in the training objectives.

(4) Neither a specialist in a particular field of non-maritime education, such as mathematics or first aid, nor a person with at least 3 years of service as a member of the Armed Forces of the United States, specializing in a particular field, need hold a maritime license or document to conduct training in that field.

(5) A simulator may be used in training if—

(i) The simulator meets applicable performance standards;

(ii) The instructor has gained practical operational experience on the particular type of simulator being used; and

(iii) The instructor has received appropriate guidance in instructional techniques involving the use of simulators.

(6) Essential equipment and instructional materials must afford each student adequate opportunity to participate in exercises and acquire practice in performing required skills.

(7) A process for routinely assessing the effectiveness of the instructors, including the use of confidential evaluations by students, is in place.

(8) Documentary evidence is readily available to establish that any evaluation of whether a student is competent in accordance with standards, methods, and criteria set out in part A of the STCW Code (incorporated by reference in § 12.01-3) is conducted by a designated examiner who has experience, training, or instruction in assessment techniques.

(9) Records of the student's performance are maintained for at least 1 year by the offeror of the training and assessment.

(10) To ensure that the training is meeting its objectives, and the requirements of paragraphs (a) (1) through (9)

§ 12.03-1

46 CFR Ch. I (10-1-07 Edition)

of this section, its offeror must either—

(i) Be regulated as a maritime academy or marine academy pursuant to 46 CFR part 310; or

(ii) Monitor it in accordance with a Coast Guard-accepted QSS, which must include the following features:

(A) The training must be provisionally certified, on the basis of an initial independent evaluation conducted under a Coast Guard-accepted QSS, as being capable of meeting its stated objective.

(B) The training must be periodically monitored in accordance with the schedule stipulated under the Coast Guard-accepted quality-standards system.

(C) Each person conducting the initial evaluation or the subsequent periodic monitoring of the training shall be knowledgeable about the subjects being evaluated or monitored and about the national and international requirements that apply to the training, and shall not himself or herself be involved in the training and assessment of students.

(D) Each person evaluating or monitoring the training shall enjoy convenient access to all appropriate documents and facilities, and opportunities both to observe all appropriate activities and to conduct confidential interviews when necessary.

(E) Arrangements must be such as to ensure that no person evaluating or monitoring the training is penalized or rewarded, directly or indirectly, by the sponsor of the training for making any particular observations or for reaching any particular conclusions.

(1) Each person conducting the initial evaluation under paragraph (a)(10)(ii)(A) of this section or the periodic monitoring of the training under paragraph (a)(10)(ii)(B) of this section shall communicate his or her conclusions to the Commanding Officer, National Maritime Center, NMC-4B, 4200 Wilson Boulevard, Suite 630, Arlington, VA 22203-1804, within 1 month of the completion or the evaluation of the monitoring.

(2) Each offeror of the training shall let the Coast Guard or someone authorized by the Coast Guard observe the records of a student's performance and

records otherwise relating to paragraphs (a) (1) through (10) of this section.

(b) The Coast Guard will maintain a list of training each of whose offerors submits a certificate, initially not less than 45 calendar days before offering training under this section, and annually thereafter, signed by the offeror or its authorized representative, stating that the training fully complies with requirements of this section, and identifying the Coast Guard-accepted QSS being used for independent monitoring. Training on this list will offer the training necessary for licenses and STCW endorsements under this part. The Coast Guard will update this list periodically and make it available to members of the public on request.

(c) If the Coast Guard determines, on the basis of observations or conclusions either of its own or of someone authorized by it to monitor the training, that particular training does not satisfy one or more of the conditions described in paragraph (a) of this section—

(1) The Coast Guard will so notify the offeror of the training by letter, enclosing a report of the observations and conclusions;

(2) The offeror may, within a period specified in the notice, either appeal the observations or conclusions to the Commanding Officer, National Maritime Center or bring the training into compliance; and

(3) If the appeal is denied—or the deficiency is not corrected in the allotted time, or within any additional period judged by the Coast Guard to be appropriate, considering progress towards compliance—the Coast Guard will remove the training from the list maintained under paragraph (b) of this section until it can verify full compliance; and it may deny applications for licenses for STCW endorsement based in whole or in part on training not on the list, until additional training or assessment is documented.

[CGD 95-062, 62 FR 34536, June 26, 1997, as amended by USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1999-5610, 67 FR 66068, Oct. 30, 2002; USCG-2004-18884, 69 FR 58343, Sept. 30, 2004]